

Service Date: August 17, 2006

FINAL ORDER NO. 6765

DEPARTMENT OF PUBLIC SERVICE REGULATION  
MONTANA PUBLIC SERVICE COMMISSION  
P.O. Box 202601  
Helena, Montana 59620-2601

IN THE MATTER OF **Cary M. Sarles dba Park** ) Docket No. T-06.20.PCN  
**County Transportation**, Livingston, Montana, )  
Application for a Montana Intrastate Certificate of ) Order No. 6765  
Public Convenience and Necessity. )

The Commission, being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On May 25, 2006, **Cary M. Sarles dba Park County Transportation**, Livingston, Montana, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing transportation of the following:

Class B – Passengers between all points and places within Park County, Montana and a one hundred twenty-five (125) mile radius thereof. LIMITATIONS: 1) Service in the city limits of Livingston is prohibited. 2) Movements to or from Gallatin Field must originate or terminate in Park County, Montana. 3) Movements in Big Sky, Montana and a twenty-five (25) mile radius is prohibited. 4) Seating capacity will be no more than six (6) passengers per vehicle.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public June 7, 2006. That notice said in pertinent part:

If no written protests are received by June 26, 2006, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant. The application included affidavits of support.

3. Protest was filed by Across Montana Cartages LLC dba Big Sky Sedan Services, Billings, Montana.

4. The protest was withdrawn after the Applicant restrictively amended the application. The amendments are incorporated into the Order granting authority herein.

5. The record of this application is available for inspection at the Public Service Commission Office, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601.

### CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

### ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on Tuesday, the 15th day of August, 2006, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-06.20.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of **Cary M. Sarles dba Park County Transportation**, Livingston, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class B – Passengers between all points and places within a one hundred twenty-five (125) mile radius of Livingston, Montana. LIMITATIONS: 1) Service in the city limits of Livingston is prohibited. 2) Movements to or from Gallatin Field must originate or terminate in Park County, Montana. 3) Movements in Big Sky, Montana and a twenty-five (25) mile radius are prohibited. 4) Seating capacity will be no more than six (6) passengers per vehicle. 5) Services as a limousine are prohibited. 6) Movements to or from Bozeman, Montana must originate or terminate in Park County and require a one (1) week advance reservation. 7) Transportation to or from Billings, Montana must originate or terminate at Logan International Airport and a three (3) mile radius thereof.

IT IS FURTHER ORDERED that a full, true, and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 15th day of August, 2006, by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

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GREG JERGESON, Chairman

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BRAD MOLNAR, Vice Chairman

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DOUG MOOD, Commissioner

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ROBERT H. RANEY, Commissioner

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THOMAS J. SCHNEIDER, Commissioner

ATTEST:

Connie Jones  
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Final Order issued in Docket T-06.20.PCN in the matter of **Cary M. Sarles dba Park County Transportation**, Livingston, Montana has today been sent to all parties listed.

MAILING DATE: August 17, 2006

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FOR THE COMMISSION

FIRST CLASS MAIL

Cary M. Sarles  
dba Park County Transportation  
102 Chestnut Lane  
Livingston, MT 59047

Across Montana Cartages  
dba Big Sky Sedan Services  
PO Box 2333  
Billings, MT 59103

AS ITS INTERESTS MAY APPEAR:

Montana Consumer Counsel  
616 Helena Avenue  
P.O. Box 201703  
Helena, MT 59620-1703